

# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

J. Todd Kincannon,

*Plaintiff*

v.

Civil Action No. 3:18-cv-00821-MGL

John Doe, the Lexington County deputy sheriff with decision-making authority as to the actionable conduct described herein; Richard Roe, the Lexington County EMS employee with decision-making authority as to the actionable conduct described herein; Frank Foe, the Lexington County EMS employee with decision-making authority as to the actionable conduct described herein; The State of South Carolina, a state sovereign liable for the actionable conduct described herein to the extent sovereign immunity is unasserted or unavailable; Lexington County, a body politic and corporate organized and existing under the laws of the State of South Carolina, liable for the actionable conduct described herein under Monell v. DSS, 436 U.S. 658 (1978) and other federal and state laws; Lexington County Medical Center, a body corporate organized and existing under the law of the State of South Carolina, liable for the actionable conduct described herein under Monell v. DSS, 436 U.S. 658 (1978) and other federal and state laws,

*Defendants*

## JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_ recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: the plaintiff, J. Todd Kincannon, shall take nothing of the defendants, John Doe, Richard Roe, Frank Foe, State of South Carolina, Lexington County, Lexington Medical Center, and this action is dismissed without prejudice for failure to prosecute pursuant to Rule 41(b).

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Mary Geiger Lewis, United States District Judge, adopting the Report and Recommendation set forth

by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended the dismissal of this action without prejudice.

Date: June 27, 2018

*ROBIN L. BLUME, CLERK OF COURT*

s/M. Walker

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*Signature of Clerk or Deputy Clerk*